

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
JUSTIN MURPHY, GREGG LIVERMAN,
and JEFFREY BUSH

Plaintiffs,

INITIAL CONFERENCE ORDER

- v -

16 CV 519 (MKB) (PK)

CITY OF NEW YORK, NYPD OFFICER
SHAWN NIGRO, Shield No.: 20998, NYPD
SERGEANT DIANA PICHARDO, Shield
No.: 2816 and NYPD JOHN/JANE DOE
OFFICERS1-12, individually

Defendants.
-----X

The above numbered matter having been referred to the undersigned for pretrial supervision and the preparation of the scheduling order required by Rule 16(b) of the Federal Rules of Civil Procedure, an Initial Conference will be held at 2:00 p.m. on June 7, 2016 before Magistrate Judge Peggy Kuo in the United States Courthouse, Courtroom 322 North, 225 Cadman Plaza East, Brooklyn, New York 11201.

Attorneys for all parties are directed to appear in person for the conference. If a party is not represented by counsel, the *pro se* party must appear. Counsel for Plaintiff(s) should confirm with counsel for Defendant(s) that all necessary participants are aware of this conference.

In the event that an answer or other response to the complaint has not yet been filed by the time this Order is received, counsel for Plaintiff(s) must notify counsel for Defendant(s), or the *pro se* Defendant(s), of this conference as soon as an answer or other response is filed. Counsel for Plaintiff(s) must to notify the Chambers of Magistrate Judge Kuo by letter filed on the Court's Electronic Case Filing system (ECF) **three (3) business days** before the scheduled conference if an answer or other response still has not been filed.

Requests for adjournments will not be considered unless made at least **two (2) business days** before the scheduled conference, except in the event of an emergency.

Prior to the initial conference, counsel (or if any party is unrepresented, the party) must comply with Federal Rule of Civil Procedure 26(f). Counsel must meet and confer at least **five (5) business days** before the initial conference to discuss the matters specified in

FRCP 26. Counsel must also discuss (1) the scope of any anticipated electronic discovery, the preservation of electronically stored data, and the cost of locating, maintaining, and producing that data, and (2) whether any party will rely upon expert testimony, and if so, the proposed schedule for expert discovery. Together, counsel must complete the attached Initial Scheduling Order with proposed dates and must bring a copy for the Court to the initial conference. The Court will consider the suggested deadlines and enter an appropriate Scheduling Order.

At the initial conference, counsel must be fully prepared to discuss this action and any issues relating to the case, including jurisdiction, venue, John/Jane Doe parties, schedules for discovery and for trial, and settlement. Only counsel with knowledge of the case should attend the conference; *per diem* counsel should not appear. All individual attorneys who plan to appear at a conference must file a notice of appearance on the ECF system before the conference.

All cases with counsel have been assigned to the Court's ECF system. The parties must file all future submissions electronically. It is the responsibility of the parties to monitor regularly the status of their cases to avoid missing deadlines and court appearances. Counsel must update the Court's records with any change of contact information so that they will receive all Court notices.

SO ORDERED:

Peggy Kuo

PEGGY KUO

United States Magistrate Judge

Dated: Brooklyn, New York
April 25, 2016